

HB 1721 -- CATALYTIC CONVERTER THEFT

SPONSOR: Crossley

This bill requires a salvage license from the Department of Revenue to engage in the buying or selling of catalytic converters.

The bill requires scrap metal dealers and others regulated under Section 407.300 to require proof that the seller of a detached catalytic converter is a bona fide automobile repair shop or an affidavit that the converter was lawfully acquired. The make, model, year, and vehicle identification number of the vehicle from which the converter originated will be required and maintained for four years. Records will be submitted at least monthly to the Department of Revenue on a form provided by the Department in either a paper or electronic format as specified in the bill.

Transactions involving catalytic converters must occur at the fixed place of business of the scrap metal dealer or person regulated under Section 407.300. Such individuals must possess the catalytic converter for five days before modifying it in any way. Currently, anyone who knowingly purchases a stolen catalytic converter in violation of this section shall be subject to penalties as provided in the section. This bill removes the requirement that the purchaser knows the catalytic converter is stolen and provides anyone convicted of violating this section is guilty of a class E felony in addition to being subject to having any business license revoked.

The bill clarifies that minor parts of heating and cooling equipment and equipment used in the generation and transmission of electrical power or telecommunications, including any catalytic converter of such equipment, remains subject to the provisions of the bill.

The bill adds that a person commits the offense of stealing if, for the purpose of depriving the owner of a lawful interest therein, he or she receives, retains, or disposes of a catalytic converter and knows it has been stolen, believes it has been stolen, or reasonably should have suspected that such property was stolen.

The bill establishes the offense of unlawful possession of a detached catalytic converter. This offense is a class E felony. A person commits the offense of unlawful possession of a detached catalytic converter if the person possesses a catalytic converter with the intent to sell unless:

(1) The catalytic converter is possessed in the course of legitimate business;

(2) The catalytic converter is a component or constituent part of an item or equipment owned by the individual; or

(3) The possession of the catalytic converter is for some other lawful purpose.

This bill is the same as HB 532 (2023).